

Law Offices
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Gus H. Crowell, P.A.

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September 20, 2006

MONROE COUNTY PLANNING DEPARTMENT
Attn: Planning Commission Coordinator
2798 Overseas Highway, Suite 410
Marathon, FL 33050-2227

Re: Eager Family Limited Partnership-Appeal-continuance

Dear Nicole,

I am writing at this time to request that the hearing for the above referenced appeal, currently set for the September 27, 2006 Planning Commission meeting, at the Key Largo Library, be continued pending settlement. As we are optimistic that a settlement of this matter may be reached we are not requesting that a new date be assigned for this matter at this time.

If you have any questions or require additional information please do not hesitate to contact me.

Sincerely,



Gus H. Crowell, Esq.

GHC/ nb

cc: Client

County Attorney
Echemendia
Bailine

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SEP 19 2006
COUNTY CLERK
171 Hood Ave. Suite 12
Tavernier, Florida 33070
Facsimile: (305) 852-3242

September 19, 2006

Jerry Saunders, Esq.
Asst. County Attorney
P.O. Box 1026
Key West, Florida 33041-1026

Fax: 305 292-3516

RE: Eager Family Limited Partnership, Calusa Campground

Dear Mr. Saunders,

I have received Ty Symroski's letter of September 15, 2006 and have reviewed its contents with my client.

The terms of the letter are generally good but a few points need to be clarified and we have a couple of questions.

Paragraph 3. should include Units 114 through 126.

Paragraph 5. should include **any and all** code violations, alleged or not.

My client would like a commitment that the 9.23 acres of land being donated will not be cleared or developed. Is this something we can include in the agreement?

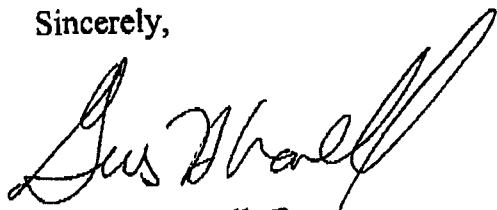
We felt that requiring 8 TREs to be donated to Monroe County is a little extreme and I am requesting this to be reduced to 4 TREs instead of 8. We would also like to know what Monroe County intends to do with the donated TREs and why the donation is being requested.

We would like some additional information as to the prohibition on transferring the TREs to Tier I property. What is Tier I property or property which would receive negative environmental points?

Please contact me after you have had a chance to review this letter.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Gus H. Crowell". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Gus H. Crowell, Esq.

GHC/nb

cc: Client

Enc.

County of Monroe

Growth Management Division

Office of the Director

2798 Overseas Highway
Suite #400
Marathon, FL 33050
Voice: (305) 289-2517
FAX: (305) 289-2854



Board of County Commissioners

Mayor Charles McCoy, Dist. 3
Mayor Pro Tem Dixie Spehar, Dist. 1
George Neugent, Dist. 2
Mario Di Gennaro, Dist. 4
Glenn Patton, Dist. 5

We strive to be caring, professional and fair

September 15, 2006

Gus Crowell, Esq.
P.O. Box 777
Tavernier, FL 33070

RE: Eagar Family Limited Partnership – Appeal to Planning Commission
Calusa Campground

Dear Gus:

This will confirm the conference which was held at the Growth Management Division office with you on September 6, 2006, regarding your client, Eagar Family Limited Partnership.

The following is proposed as a resolution of the dispute between your client and the County:

1. **PLATTING:** The recorded site plan found at Official Records Book 2031, Pages 1921-28 will be approved as a site plan. Monroe County agrees that no requirement for platting will be made under the present usage as an RV campground.
2. **BUFFER YARD DISPUTE:** This may be resolved by the donation of the 9.32 acres of adjacent property owned by your clients located to the east of the existing Calusa Campground, zoned SR. Upon donation of this property to Monroe County in fee simple, Monroe County agrees not to pursue any further buffer yard issues with regard to the existing Calusa Campground. This donation will be considered as mitigation and satisfaction of the lack of buffer yards under the present existing campground.

3. **BUILDING PERMITS:** Development permits will not be prohibited or denied due to the above-referenced buffer yard issues, to include lots 1 through 20 of Calusa Campground.
4. **RECOGNIZED UNITS.** Calusa Campground is built and recognized as having 367 condominium units. All lots and units may be used as RV campsites.
5. **CODE VIOLATIONS.** All existing code violations alleged against the Eagar Family Limited Partnership lots are satisfied by this complete agreement with Monroe County.
6. **TRANSFERABLE ROGO EXEMPTION.** Monroe County will recognize 28 Transferable ROGO Exemptions (TREs) of the Eagar Family Limited Partnership from the 1991 site plan. These 28 TREs will be disposed of as follows:
 - a. Your client may sell or dispose of 20 TREs, including transfer off-site within the upper keys planning area. No transfer may be made to any property which will be classified Tier I or which would receive negative environmental points by the Planning Department.
 - b. 8 TREs will be donated to Monroe County to be utilized as it determines.
7. **TRANSFERABLE DEVELOPMENT RIGHTS.** Monroe County recognizes 4.66 transferable development rights (TDRs) on the 9.32 acres referenced above. Your client may retain these TDRs and transfer, sell or dispose of them as they deem appropriate.

Please confirm, in writing no later than October 6, 2006, as to your clients' acknowledgement and acceptance of the above terms. Upon such acknowledged acceptance, formal documents will be drawn for the necessary conveyances. If written acceptance is not received by October 6, 2006, this offer of agreement is withdrawn.

Sincerely,



Ty Symroski
Director of Growth Management Division